



Blaine Bortnick  
646.970.4770 (Main)  
305.476.7104 (Direct)  
305. 675.7944 (Facsimile)  
[bbortnick@rascoklock.com](mailto:bbortnick@rascoklock.com)

February 21, 2025

**VIA ECF**

The Honorable John G. Koeltl  
United States District Judge  
for the Southern District of New York  
Courtroom 14A  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: Yipit LLC d/b/a Yipitdata v. Emmett, et al.**  
**Case No. 24-cv-7854 (JGK)**

Dear Judge Koeltl:

We represent Defendant Alexander Pinsky in the above-referenced action. We write in response to the February 21, 2025 letter filed on behalf of M Science. (*Dkt. No. 122*) The letter objects to (1) the Proposed Judgment filed by Plaintiff Yipit LLC (*Dkt. No. 119*), and (2) Mr. Pinsky's request to amend the caption (consented to by Yipit upon entry of the judgment at *Dkt. No. 121*).

M Science's objections are improper.

With respect to the Proposed Judgment, it is a request to enter a judgment against Mr. Pinsky, one of the defendants. It has no bearing on any other defendant in this action. It cannot possibly prejudice any party save Mr. Pinsky himself who is consenting to a judgment against him. M Science has not articulated any prejudice because it cannot. Nor has M Science articulated any basis for preventing the dismissal of him as a defendant. Nor has M Science provided any law whatsoever other than an ECF procedural objection to support its application.

But the request for the Court to enter a *judgment* by uploading it onto the ECF is entirely proper. Indeed, the ECF system expressly provides for the uploading of a "Proposed Judgment." And that is apparently how counsel for Yipit uploaded the Proposed Judgment. The "Docket Text" for this filing is clear.

The Honorable John G. Koeltl

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With respect to the request to amend the caption, a motion is not even required. As set forth in that request, in a 2023 action in this District, the Court sua sponte amended the caption after the dismissal of a defendant. M Science does not address this. It also makes no substantive objection.

Respectfully submitted,

RASCO KLOCK PEREZ & NIETO, LLC

By:   
Blaine Bortnick

cc: All Counsel of Record (via ECF)